

# BEST AVAILABLE COPY

## DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:  
 My residence, post office address and citizenship are as stated below next to my name.  
 I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Process Of And System For Seamlessly Embedding Executable Program Code Into Media File Formats Such As MP3 And The Like For Execution By Digital Media Player And Viewing Systems

X is attached hereto. \_\_\_\_\_ the specification of which  
 was filed on \_\_\_\_\_, as United States Application Serial No. \_\_\_\_\_  
 or PCT International Application No. \_\_\_\_\_  
 and was amended \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, C.F.R. §1.56.

I hereby claim foreign priority benefits under Title 35, U.S.C. §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Serial No.	Country	Filing Date	Priority Claimed	
			Yes	No

I hereby claim the benefit under Title 35, U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

And I hereby appoint Robert H. Rines, Reg. No. 15,932, and Robert Shaw, Reg. No. 20,440, of the firm of Rines and Rines, Reg. No. 16,118, 81 North State Street, Concord, New Hampshire 03301, my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(1) Full name of sole or first inventor: Thomas W. Meyer

Date: September 2, 1999 Signature: [Signature]

Citizenship: USA Residence: P.O.Box 230345, Encinitas, CA

Post Office Address: P.O.Box 230345, Encinitas, CA 92023-0345

(2) Full name of second joint inventor, if any: Josslyn Mortha Meyer

Date: September 2, 1999 Signature: [Signature]

Citizenship: USA CANADA Residence: P.O.Box 230345, Encinitas, CA

Post Office Address: P.O.Box 230345, Encinitas, CA 92023-0345

(3) Full name of third joint inventor, if any: \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Citizenship: \_\_\_\_\_ Residence: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Applicant or Patentee: as W. Meyer and Josslyn Motha Attorney's  
 Serial or Patent No.: \_\_\_\_\_ Docket No.: \_\_\_\_\_  
 Filed or Issued: \_\_\_\_\_  
 For: \_\_\_\_\_

Process Of And System For Seamlessly Embedding Executable Program Code Into Media  
 File Formats Such As MP3 And The Like For Execution By Digital Media Player And  
 Viewing Systems

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
 STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled as above described in \_\_\_\_\_

☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☒ no such person, concern, or organization  
☐ persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

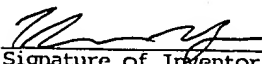
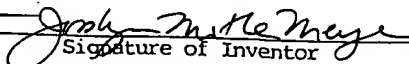
FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
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☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Thomas W. Meyer	Josslyn Motha Meyer	
NAME OF INVENTOR	NAME OF INVENTOR	NAME OF INVENTOR
		
Signature of Inventor	Signature of Inventor	Signature of Inventor
September 2, 1999	September 2, 1999	
Date	Date	Date